

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRUSTEES OF IBEW LOCAL NO. 7 HEALTH & WELFARE)	
FUND, et al)	
Plaintiffs,)	
)	
v.)	C.A. No. 05-30187-KPN
)	
TREMBLAY ELECTRIC, INC.)	
Defendant.)	
_____)	

**PLAINTIFFS' OPPOSITION TO DEFENDANT'S
REQUEST TO REMOVE DEFAULT**

On December 14, 2005 defendant Tremblay Electric, Inc. filed an unnamed pleading requesting that the default entered in this action on November 15, 2005 be removed. The request should be denied for the following reasons:

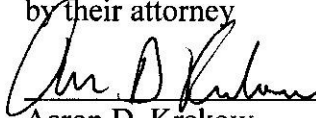
1. Defendant was served with the complaint on August 24, 2005. Plaintiffs attempted to resolve the matter with defendant over the ensuing two and one half months before filing their motion for entry of default on November 7, 2005.

2. In support of its request, defendant correctly states that there was an agreement reached between plaintiffs' counsel and defendant that if defendant provided the plaintiffs with certain requested payroll records, plaintiffs would refrain from filing a motion for default until such time as they had the opportunity to review those records and to discuss with defendant a possible monetary settlement. In accordance with that agreement, plaintiffs refrained from filing for default for more than 2 months.

3. In its request to remove the default, defendant contends that it provided the plaintiffs with the requested payroll records. However, as of the present date plaintiffs have not received the records.

Therefore, it was just and proper for plaintiffs, after 2 ½ months, to file their motion for entry of default, and the Court's entry of default should not be revoked.

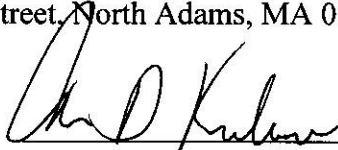
Plaintiffs
by their attorney



Aaron D. Krakow
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Boston, MA 02114
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CERTIFICATE OF SERVICE

I, Aaron D. Krakow, hereby certify that I caused a copy of the foregoing to be mailed this date to Tremblay Electric, Inc., 85 Union Street, North Adams, MA 01247.



Aaron D. Krakow